



*** TX REPORT ***
*** ***** * ***

TRANSMISSION OK

TX/RX NO	3792
CONNECTION TEL	7037463141
SUBADDRESS	
CONNECTION ID	
ST. TIME	10/31 16:29
USAGE T	01'25
PGS. SENT	4
RESULT	OK



Fitch, Even, Tabin & Flannery
Intellectual Property Law

1801 K Street, NW, Suite 401L
 Washington, D.C. 20006
 Phone: (202) 789-4900 Fax: (202) 789-8707

FACSIMILE COVER SHEET

Our Ref.: 7570/73233

Date: October 31, 2002

The transmission that follows totals 4 pages, including this cover sheet. Please deliver immediately to the following:

Name: Examiner Sharon Turner	Phone: (703) 308-0056
Art Unit 1647	Fax: (703) 746-3141
U.S. Patent and Trademark Office	

This transmission is being sent by Michael A. Sanzo, please call (202-419-7008) if there is a problem with this transmission.

Appl. No.: 09/910,757
 Filed: July 24, 2001
 Title: The Translation Enhancer Element of the Human Amyloid Precursor Protein Gene
 Inventor(s): Rogers, Jack
 Atty. Dkt.: 7570/73233

Dear Examiner Turner:

As requested, attached is a Sec nd Preliminary Amendment for the above-noted application.



Fitch, Even, Tabin & Flannery
Intellectual Property Law

1801 K. Street, NW, Suite 401L
Washington, D.C. 20006
Phone: (202) 789-4900 Fax: (202) 789-8707

FACSIMILE COVER SHEET

Our Ref.: 7570/73233

Date: October 31, 2002

The transmission that follows totals 4 pages, including this cover sheet. Please deliver immediately to the following:

Name: Examiner Sharon Turner
Art Unit 1647
U.S. Patent and Trademark Office

Phone: (703) 308-0056
Fax: (703) 746-3141

This transmission is being sent by Michael A. Sanzo, please call (202-419-7008) if there is a problem with this transmission.

Appl. No.: 09/910,757
Filed: July 24, 2001
Title: The Translation Enhancer Element of the Human Amyloid Precursor Protein Gene
Inventor(s): Rogers, Jack
Atty. Dkt.: 7570/73233

Dear Examiner Turner:

As requested, attached is a Second Preliminary Amendment for the above-noted application.

Applicant does not believe that any fees are due for the filing of this Amendment. However, the Commissioner is hereby authorized to charge any fee deficiency to our Deposit Account No. 06-1135 under Order No. 7570/73233.

Very truly yours,

Michael A. Sanzo
Michael A. Sanzo

Reg. No. 36,912

Telephone: (202) 419-7013

This transmission with its attachments is intended for the use of the individual or entity to which it is addressed, and may contain information that is **PRIVILEGED & CONFIDENTIAL**. If you are not the intended recipient and have received this transmission in error, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. Please notify the operator immediately by telephone and mail the original telecopier message back to us. We will reimburse your first-class mail costs.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Rogers, Jack

Appl. No.: 09/910,757

Filed: July 24, 2001

For: **The Translation Enhancer Element
of the Human Amyloid Precursor
Protein Gene**

Art Unit: 1647

Examiner: S. Turner

Atty. Dkt. 7570/73233
(Formerly 81994/282402)

Second Preliminary Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In advance of prosecution, please amend the above-captioned application as follows:

Amendments

Please amend claim 13 to read as follows:

13. (Amended) A method for assaying a test compound for its ability to alter the expression of the human amyloid precursor protein, comprising:
 - a) preparing a vector for recombinantly expressing a peptide or protein in a eukaryotic cell, wherein said vector comprises:
 - i) a promoter which is active in said eukaryotic cell;
 - ii) a translation enhancer element consisting essentially of the nucleotide sequence of SEQ ID NO:1, wherein said element is 3' to said promoter;
 - iii) a DNA sequence encoding said peptide or protein, wherein said DNA sequence:
 - aa) lies 3' to said translation enhancer element;
 - bb) is operably linked to said promoter; and
 - cc) is non-homologous to said translation enhancer element;
 - b) measuring the expression of said gene in said vector in the absence of said test compound; and
 - c) comparing the expression determined in step b) with the expression of said gene in the presence of said test compound.